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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

MARIE MACONEY WALKER,  
Plaintiff,  
v.  
WALNUT CREEK POLICE  
DEPARTMENT,  
Defendant.

Case No. 15-cv-03394-EDL

**REPORT AND RECOMMENDATION  
REGARDING PENDING MOTIONS;  
ORDER REASSIGNING CASE**

This is a civil rights case brought by pro se Plaintiff Marie Maoney Walker against the Walnut Creek Police Department on July 23, 2015. On July 29, 2015, this Court granted Plaintiff's application to proceed in forma pauperis and ordered the issuance of summons and service. Plaintiff has also filed a "Motion to Request Trial By Jury" in which she states that she would "not like [her] case heard by a Magistrate Judge." Dkt. No. 9. The Court construes this motion as a declination to consent to a magistrate judge, and hereby reassigns the case to an Article III judge.

Plaintiff has also filed "Motion to Request Service of Process." Dkt. No. 7. This motion has been rendered moot by the Court's July 29, 2015 order regarding service of process and the Court recommends that it be denied as moot. In addition, Plaintiff has filed a "Motion to Release Detective's Names." Dkt. No. 8. This Court construes this as a premature discovery motion, and recommends that it be denied without prejudice.

Any party may serve and file specific written objections to this recommendation within fourteen (14) days after being served with a copy. See 28 U.S.C. § 636(b)(1)(C); Fed. R. Civ. P. 72(b); Civil Local Rule 72-3. Failure to file objections within the specified time may waive the right to appeal the District Court's order.

## **IT IS SO RECOMMENDED.**

Dated: July 30, 2015

Elijah R. D. Laporte  
ELIZABETH D. LAPORTE  
United States Magistrate Judge

**ELIZABETH D. LAPORTE**  
United States Magistrate Judge

United States District Court  
Northern District of California

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4 MARIE MACONEY WALKER,  
5 Plaintiff,  
6 v.  
7 WALNUT CREEK POLICE  
8 DEPARTMENT,  
9 Defendant.

10 Case No. 15-cv-03394-EDL

11 **CERTIFICATE OF SERVICE**

12 I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S.  
13 District Court, Northern District of California.

14  
15 That on July 30, 2015, I SERVED a true and correct copy(ies) of the attached report and  
16 recommendation; order, by placing said copy(ies) in a postage paid envelope addressed to the  
17 person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said  
18 copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

19  
20 Marie Maconey Walker  
21 1924 Trinity Ave.  
Walnut Creek, CA 94596

22  
23 Dated: July 30, 2015

24 Richard W. Wieking  
25 Clerk, United States District Court

26 By:   
27 Stephen Ybarra, Deputy Clerk to the  
Honorable ELIZABETH D. LAPORTE